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**CALIFORNIA CODE OF REGULATIONS
TITLE 2. ADMINISTRATION
DIVISION 1. ADMINISTRATIVE PERSONNEL
CHAPTER 1. STATE PERSONNEL BOARD
SUBCHAPTER 1.3 CLASSIFICATIONS, EXAMINATIONS, AND APPOINTMENTS
ARTICLE 1. DEFINITIONS**

Proposed Text: Adopt Sections 83.5 and 83.6

§83.5. Nepotism

Nepotism means an employee's use of influence or power to hire, transfer, or ~~assign~~ promote an applicant or employee because of a personal relationship.

Note: Authority cited: Section 18502 and 18660, Government Code. Reference: Section 19050, Government Code.

§83.6. Personal Relationship

Personal relationship is defined as ~~an association~~ persons related by blood, adoption, or current or former marriage, domestic partnership or cohabitation. For purposes of this section, cohabitation means living with another person in a romantic relationship without being married or in a domestic partnership.

Note: Authority cited: Section 18502 and 18660, Government Code. Reference: Section 19050, Government Code.

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ARTICLE 1.1. GENERAL PROVISIONS**

Proposed Text: Adopt Section 87

§87. Anti-Nepotism

Appointing powers shall hire and assign all employees on the basis of merit and fitness in accordance with civil service statutes, rules and regulations. Nepotism is expressly prohibited in the state workplace because it is antithetical to California's merit based civil service system.

All appointing powers shall adopt an anti-nepotism policy that includes the following components:

(1) A statement that the appointing power is committed to merit-based hiring and that nepotism is antithetical to a merit-based civil service system.

(2) A definition of "nepotism" as an employee's use of influence or power to hire, transfer, or assign promote an applicant or employee because of a personal relationship.

~~(2)~~ (3) A definition of "personal relationship" as an association persons related by blood, adoption, or current or former marriage, domestic partnership or cohabitation.

~~(3)~~ (4) A statement that prohibits participation in the selection of an applicant for employment by anyone who has a personal relationship with the applicant, as defined.

~~(4)~~ (5) A statement that prohibits the direct or first-line supervision of an employee with whom the supervisor has a personal relationship.

~~(5)~~ (6) A process for addressing issues of direct supervision when personal relationships between employees exist.

Note: Authority cited: Section 18502 and 18660, Government Code. Reference: Section 19050, Government Code.